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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/662,417

09/16/2003

Anthony F. Meggs

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02/28/2008

AKERMAN SENTERFITT

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EXAMINER

STERRETT, JONATHAN G

ART UNIT

PAPER NUMBER

3623

MAIL DATE

DELIVERY MODE

02/28/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. **Claims 1-26, 27-51, 52-53, 56-75**, drawn to **optimizing a pipeline through assessing the value of the pipeline**, classified in class 705, subclass 7.
- II. **Claims 54-55, 76-81, 82-85, 86-89, 90** drawn to **managing a pipeline through resource regulation**, classified in class 705, subclass 8.

The Inventions are distinct, each from the other because of the following reasons:

2. **Group I to II**

Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as a method of **optimizing a pipeline through assessing the value of the pipeline** and can be conducted without **managing a pipeline through resource regulation**. Further one does not need to **manage a pipeline through resource regulation** in order to **optimize a pipeline through assessing the value of the pipeline**. The subcombination has a separate utility such as **managing a pipeline through resource regulation**. See MPEP § 806.05(d).

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for each of the Groups I and II is not required for each of the other groups (i.e., I, II), restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan G. Sterrett whose telephone number is 571-272-6881. The examiner can normally be reached on 8-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 571-272-6729.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JGS 2-19-2008

/Jonathan G. Sterrett/
Primary Examiner, Art Unit 3623

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